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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/082,326      | 02/26/2002  | Ikuo Uratani         | NIT-332             | 3456             |

7590 03/18/2005

Mattingly, Stanger & Malur, P.C  
1800 Diagonal Road, Suite 370  
Alexandria, VA 22314

EXAMINER

SHINGLES, KRISTIE D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2141

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                |  |
|------------------------------|-------------------------------|--------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/082,326 | Applicant(s)<br>URATANI ET AL. |  |
|                              | Examiner<br>Kristie Shingles  | Art Unit<br>2141               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/26/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

*Claims 1-6 are pending.*

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. JP 2001-091635 filed on 3/28/2001.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 2/26/2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the Office. An initialed and dated copy of Applicant's IDS form 1449, is attached to the instant Office action.

### ***Abstract***

3. The abstract of the disclosure is objected to because it exceeds 1 paragraph. Correction is required. See MPEP § 608.01(b).

### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 210, 211, 250 and 251. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.

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The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by *Burton et al* (USPN 6,601,128).

a. **Per claim 6, *Burton et al* teach a storage system connected to a host computer via ports, comprising:**

- a plurality of logical units (**Abstract, col.2 lines 25-33 and col.3 line 50-col.4 line 61**);
- a command device for receiving a command from the host computer (**Abstract, Figure 1, col.2 lines 29-53 and col.3 line 50-col.4 line 24; controller receives command from hosts**);
- means for coupling said plurality of logical units according to the command received by said command device (**Abstract, Figure 1, col.2 lines 33-63 and col.3 lines 1-9; coupling to the LUNs is determined and provided according to the path commands**); and

- means for responding extended Inquiry information for specifying said each logical unit according to an inquiry from the host computer (**Abstract, col.2 lines 54-63 and col.4 line 25-col.5 line 48; inquiry information for the LUNs is provided according to the commands from the host**),
- wherein the extended Inquiry information includes at least connection port numbers, target IDS and logical unit numbers (**Figures 2-4, col.5 lines 4-48 and col.7 lines 11-16**).

b. **Claims 1 and 2** contains limitations that are substantially equivalent to claim 6 and is therefore rejected under the same basis.

c. **Per claim 3, *Burton et al*** teach the storage system according to claim 2, wherein storage devices, which belong to said logical units subjected to coupling, are connected to one another by a network of ESCON or Fibre Channels (**col.3 line 54-col.4 line 14**).

d. **Per claim 4, *Burton et al*** teach the storage system according to claim 2, wherein at least one host computer, which independently manages the logical units included in said storage system, is connected to a plurality of ports of said storage system by at least one Fibre Channel Port or SCSI port (**col.3 line 54-col.4 line 26 and col.7 lines 23-28; provision for Fibre Channel or SCSI**).

e. **Per claim 5, *Burton et al*** teach the computer system wherein the host computers employed in the storage system according to claim 4 are connected to one another by an Ethernet-based network (**col.6 line 59-col.7 line 10**).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- a. *Ito et al* (USPN 6,684,209) disclose a security method and system for storage subsystem.
- b. *Ghaffari et al* (USPN 5,931,920) disclose a command interpreter system in an I/O controller.
- c. *Kamano et al* (USPN 6,606,695) disclose a method an apparatus for controlling access to a storage device.
- d. *Prestas et al* (USPN 6,845,387) disclose creating virtual private connections between endpoints across a SAN.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles  
Examiner  
Art Unit 2141

kds

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER